

# **APPENDIX 1**

Sam Sparks  
Judge

UNITED STATES DISTRICT COURT

512/916-5230

Western District of Texas  
501 West Fifth Street, Suite 4120  
Austin, Texas 78701-36822

January 26, 2018

Mr. Karl Bayer, Chairman  
Admissions/Discipline Committee  
Western District of Texas  
8911 N. Capital of Texas Hwy., Suite 2120  
Austin, Texas 78759

Re: Celetha Chatman, Michael Jacob Wood, Robert Alan Zimmer, Jr., Tyler Hickle, and Amy Elizabeth Clark

Dear Mr. Bayer:

The purpose of this letter is to refer the conduct of Celetha Chatman, Michael Jacob Wood, Robert Alan Zimmer, Jr., Tyler Hickle, and Amy Elizabeth Clark (referred to below as Ms. Chatman and her associates) for the Disciplinary Committee's review and recommendation.

Ms. Chatman and her associates filed at least twenty lawsuits in the Western District of Texas alleging technical violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, et seq. and the Texas Debt Collection Act (TDCA), Tex. Finance Code § 392.001, et seq. A non-exhaustive list of cases Ms. Chatman and her associates filed in is enclosed. Although I cannot evaluate the conduct of Ms. Chatman and her associates in all of these cases, I have witnessed what appears to be unprofessional and unethical conduct in the cases before me.

For example, in *Ozmun v. Portfolio Recovery Associates LLC et al.*, No. 1:16-cv-00940, it appears Ms. Chatman and her associates failed to comply with the original scheduling order as well as the amended scheduling order. In disputing one instance of the alleged failure to comply with the Court's orders, Ms. Chatman and her associates offered evidence they improperly contacted a person represented by counsel in violation of Texas Disciplinary Rule of Professional Conduct 4.02. It also seems Ms. Chatman and her associates requested an extension of a deadline because of delays due to Hurricane Harvey when Ms. Chatman and her associates are based in Chicago, IL and Austin, TX and Hurricane Harvey made landfall the day after the response was due. When the Court set a hearing to review these allegations, neither Ms. Chatman or Mr. Wood—the main attorneys in the case—offered any testimony on or explanation for the alleged errors. The transcript of the hearing is enclosed. Additionally, there is some indication Ms. Chatman and her associates falsely represented Mr. Ozmun agreed to the terms of a settlement agreement when no such agreement was reached.

Perhaps most significantly, there is evidence to suggest Ms. Chatman and her associates are involved in a scheme to force settlements from debt collectors by abusing the FDCPA. Ms. Chatman and her associates represent different clients who have sent the *exact same* letter with the *exact same*

Mr. Karl Bayer, Chairman  
January 26, 2018  
Page 2

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language—language that is unclear on whether a debt is being disputed or not—to debt collectors against whom they bring suit for failing to acknowledge the debt was disputed. *Compare* Am. Compl. [#53-1] Ex. F (Ozmun's Letter), *Ozmun v. Portfolio Recovery Associates LLC et al.*, No. 1:16-cv-940, *with* Comp. [#1-1] Ex. A (Palomo's Letter), *Palomo v. Portfolio Recovery Associates, LLC et al.*, No. 1:16-cv-628, *and* Compl. [#1-1] Ex. E (Jones's Letter), *Jones v. Midland Funding, LLC et al.*, No. 1:16-cv-592.

I would like recommendations from the Disciplinary Committee as to whether Celetha Chatman, Michael Jacob Wood, Robert Alan Zimmer, Jr., Tyler Hickie, and Amy Elizabeth Clark should be allowed to continue practicing in the United States District Court for the Western District of Texas and, if so, whether any restrictions should be applied.

Yours very truly,



Sam Sparks

Enclosures

1/23/2018

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## Attorney Information

[New Attorney Lookup](#)[Back](#)

### Attorney

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### District Bar Information

**Bar Status:** Admitted to Practice**Admission Date:** 06/20/2016 **Application Date:** 05/02/2016 **Division:** Austin**Fee Status:** none **Fee Year:**

### Attorney Specialty Information

NO SPECIALTIES FOUND

### Attorney Disciplinary Information

NO DISCIPLINARY ACTIONS FOUND

### Cases Assigned To

[1:16-cv-00435-DAE](#)

Talamor vs. I C System, Inc.

[1:16-cv-00572-RP](#)

Jones vs. Portfolio Recovery Associates, LLC

[1:16-cv-00592-SS](#)

Jones vs. Midland Funding, LLC

[1:16-cv-00628-SS](#)

Palomo vs. Portfolio Recovery Associates, LLC

[1:16-cv-00650-SS](#)

Milligan vs. Midland Funding, LLC

[1:16-cv-00678-SS](#)

Jones vs. Global Credit &amp; Collection Corporation

[1:16-cv-00698-SS](#)

Cousins vs. Midland Funding LLC

[1:16-cv-00767-SS](#)

Tejero vs. Portfolio Recovery Associates, LLC

[1:16-cv-00792-LY](#)

Flecha vs. Medicredit, Inc.

[1:16-cv-00830-RP](#)

Perkins vs. Hunter Warfield Inc.

[1:16-cv-00852-DAE](#)

Cousins vs. Portfolio Recovery Associates, LLC

[1:16-cv-00922-RP](#)

Milligan vs. Merchants and Professional Credit Bureau, Inc.

[1:16-cv-00940-SS](#)

Ozman vs. Portfolio Recovery Associates LLC

[1:16-cv-00973-SS](#)

Dawn vs. Credit Management, LP

[1:16-cv-00987-ML](#)

Guerrero vs. Credit Management, LP

[1:16-cv-01011-SS](#)

Dahlgren vs. Midland Funding, LLC

[1:16-cv-01027-LY](#)

Jones vs. Synchrony Financial

1/23/2018

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**1:16-cv-01078-SS**

**Sybrandt vs. Aspen National Financial, Inc et al**

**1:16-cv-01087-LY**

**Eddington vs. Financial Control Services, LLC**

**1:16-cv-01247-LY**

**Zimmer vs. Complete Payment Recovery Services, Inc.**

**\*\*\* END OF REPORT \*\*\***

**New Attorney Lookup**

**Back**